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PATENT

JCOB Rec'd PCT/PTO 05 APR 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tosato et al.

Application No.: To be assigned

Filed: Herewith

For: USE OF CALRETICULIN AND
CALRETICULIN FRAGMENTS TO INHIBIT
ENDOTHELIAL CELL GROWTH AND
ANGIOGENESIS, AND SUPPRESS TUMOR
GROWTH

Examiner: To be assigned

Date: April 5, 2001

Art Unit: To be assigned

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on April 5, 2001 as Express Mail Label No. EL754020413US in an envelope addressed to: BOX PCT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

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PRELIMINARY AMENDMENT

Prior to calculating the fees for the above-identified application, please enter the following amendments:

In the claims:

Please add the following claims:

57. (New) The method of claim 1, wherein the therapeutically effective fragment of calreticulin consists essentially of an amino acid sequence selected from the group consisting of:
- (a) the amino acid sequence shown in SEQ ID NO: 5
 - (b) the amino acid sequence shown in SEQ ID NO: 6;
 - (c) the amino acid sequence shown in SEQ ID NO: 8;
 - (d) the amino acid sequence shown in SEQ ID NO: 9; and
 - (e) amino acid sequences comprising fragments and variants of the sequences of (a), (b), (c), and (d), wherein the amino acid sequence inhibits tumor growth.

Art
A1

58. (New) A method of inhibiting radiation induced injury, comprising contacting cells with a pharmaceutical composition comprising at least one protein selected from the group consisting of:

- (a) therapeutically effective fragments of calreticulin;
- (b) therapeutically effective variants of calreticulin; and
- (c) calreticulin.

59. (New) A method of inhibiting chemotherapy induced injury, comprising contacting cells with a pharmaceutical composition comprising at least one protein selected from the group consisting of:

- (a) therapeutically effective fragments of calreticulin;
- (b) therapeutically effective variants of calreticulin; and
- (c) calreticulin.

ADD
B5

REMARKS

New claims 57-59 have been added. Support for new claim 57 can be found in the specification on page 9, lines 12-13, and on page 3, lines 23-31. Support for new claims 58 and 59 can be found in the specification on page 39, lines 22-24. No new matter has been added. Applicant respectfully requests examination of the application.

CONCLUSION

If any issues remain before examination of the subject application, the Examiner is respectfully requested to telephone the undersigned Applicants' representative.

Respectfully submitted,

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